

# The State of Texas

Executive Division  
Capitol Building, 1E.8  
P.O. Box 12697  
Austin, Texas 78711-2697



Phone: 512-463-5770  
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Dial 7-1-1 For Relay Services  
[www.sos.state.tx.us](http://www.sos.state.tx.us)

Ruth R. Hughes  
Secretary of State

October 24, 2019

Austin R. Evers  
American Oversight

***Sent via Electronic Mail in care of Clay Goode to: [records@americanoversight.org](mailto:records@americanoversight.org)***

Re: Request for records, TX-SOS-19-1292, received: October 10, 2019 (SOS PIR No. 19-1011)

Dear Mr. Evers:

This letter responds to your request for information under the Public Information Act, Chapter 552 of the Texas Government Code (the "PIA"), which was received by the Office of the Texas Secretary of State (the "Office") via email on October 10, 2019 (the "Request").

In your Request, you indicate that you are seeking the following records from January 4, 2019 to April 1, 2019:

*All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) between (a) Acting Secretary of State David Whitley, or anyone acting as his scheduler or assistant, including Linda Payne ([lpayne@sos.texas.gov](mailto:lpayne@sos.texas.gov)), and (b) Daniel Greer, Executive Director of Direct Action Texas, or anyone acting as his scheduler or assistant.*

We are processing your Request in accordance with the terms of the PIA. To that end, please find the attached information responsive to your Request. We require more time to review our records and provide other responsive documents, if any. We will provide you any additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on October 31, 2019. *See* Tex. Gov't Code § 552.221(d).

Please note that the responsive documents contain an email address of a member of the public, which is confidential under Section 552.137 of the Texas Government Code. The attorney general has authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion. *See* Open Records Decision No. 684 (2009). As such, this information has been redacted from the enclosed materials.

If you have any questions or need any additional information, please do not hesitate to contact our office at (512) 463-5770.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Bitter', is positioned above the typed name.

Adam Bitter  
General Counsel  
Office of the Texas Secretary of State  
[generalcounsel@sos.texas.gov](mailto:generalcounsel@sos.texas.gov)

Enclosures

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**From:** Daniel Greer [mailto: ]

**Sent:** Monday, March 04, 2019 2:41 PM

**To:** Linda Payne <LPayne@sos.texas.gov>

**Subject:** Re: Meeting request

**CAUTION:** This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to [informationsecurity@sos.texas.gov](mailto:informationsecurity@sos.texas.gov).

Linda,

10:30 would be great, thank you for your help setting the meeting.

Stay warm!

Daniel A. Greer

On Mon, Mar 4, 2019, 2:34 PM Linda Payne <[LPayne@sos.texas.gov](mailto:LPayne@sos.texas.gov)> wrote:

Hi Daniel,

Hope you are doing well. Please let me know if you are available on March 14<sup>th</sup> for a meeting with Secretary Whitley any time between 10:30 a.m. – 2:00 p.m.?

Thanks so much.

Linda

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**From:** Daniel Greer [mailto: ]

**Sent:** Thursday, January 24, 2019 9:50 AM

**To:** Linda Payne <[LPayne@sos.texas.gov](mailto:LPayne@sos.texas.gov)>

**Subject:** Re: Meeting request

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Linda,

Thanks for working with me to set this meeting. February 6th 2:00 – 3:00 p.m. would be great. To streamline preparations, I haven't invited anyone else to join in this meeting.

Daniel A. Greer

Executive Director - Direct Action Texas

512.992.4899 (c)

*Direct Action Texas is a premier election integrity watchdog. You can learn more about our work at [www.DirectActionTexas.com](http://www.DirectActionTexas.com).*

On Wed, Jan 23, 2019 at 1:51 PM Linda Payne <[LPayne@sos.texas.gov](mailto:LPayne@sos.texas.gov)> wrote:

Hi Daniel,

Hope you are doing well today! Please see below some date/times that Secretary Whitley is

able to meet with you, and let me know which works best for you. Also, if you can let me know if anyone else will be joining you in this meeting.

January 29<sup>th</sup> – 10:30 – 11:00 a.m. or 2:00 – 3:00 p.m.

January 30<sup>th</sup> – 3:00 p.m.

January 31<sup>st</sup> – 11:00 a.m. or 2:00 p.m.

February 5<sup>th</sup> – 11:00 a.m.

February 6<sup>th</sup> – 11:00 a.m. or 2:00 – 3:00 .m.

Thanks so much. I look forward to hearing from you.

Best regards,

*Linda Payne*

Executive Assistant/Scheduler for

Secretary of State David Whitley

Capitol Building, Room 1E.8

(512) 463-5702

[lpayne@sos.texas.gov](mailto:lpayne@sos.texas.gov)



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**From:** Daniel Greer [mailto: ]

**Sent:** Friday, January 11, 2019 4:42 PM

**To:** Linda Payne <[LPayne@sos.texas.gov](mailto:LPayne@sos.texas.gov)>

**Subject:** Re: Meeting request

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Linda,

Thanks for your help setting this meeting.

Daniel A. Greer

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On Mon, Jan 7, 2019 at 9:06 AM Linda Payne <[LPayne@sos.texas.gov](mailto:LPayne@sos.texas.gov)> wrote:

Good morning Mr. Greer,

Thank you for your e-mail. Our scheduling team will review your request and I will get back with you ASAP. Have a wonderful day!

Regards,

*Linda Payne*

Executive Assistant/Scheduler for

Secretary of State David Whitley  
Capitol Building, Room 1E.8  
(512) 463-5702  
[lpayne@sos.texas.gov](mailto:lpayne@sos.texas.gov)



**From:** Daniel Greer [mailto: ]

**Sent:** Friday, January 04, 2019 4:31 PM

**To:** Linda Payne <[LPayne@sos.texas.gov](mailto:LPayne@sos.texas.gov)>

**Subject:** Meeting request

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Linda,

I'd like to request a meeting with Secretary Whitley to discuss election integrity and transparency ahead of the 2019 session.

Specifically, I'm interested to learn Mr. Whitley's vision on the subject and discuss addressing shortcomings we've encountered in our current system.

Have a great weekend.

Daniel A. Greer

Executive Director - Direct Action Texas

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March 14, 2019

Thursday

March 2019						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2019						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

THURSDAY		Notes
14		
7 <sup>AM</sup>		
8		
9		
10	Meeting w/Daniel Greer, Direct Action; SOS Office; David Whitley	
11		
12 <sup>PM</sup>		
1		
2		
3		
4		
5		
6		

**Subject:** RE: Public Records Request (TX-SOS-19-1292)  
**Date:** Thursday, October 31, 2019 at 1:35:03 PM Eastern Daylight Time  
**From:** GeneralCounsel  
**To:** AO Records  
**CC:** GeneralCounsel  
**Category:** Green category  
**Attachments:** Meeting request\_Redacted.pdf, Re\_ Meeting request\_Redacted.pdf

Mr. Evers,

I have attached additional documents that we are producing in response to your request for information under Chapter 552 of the Texas Government Code. The attached documents represent the last production of materials that we anticipate providing in response to your request.

Please note that the responsive documents contain an email address of a member of the public, which is confidential under Section 552.137 of the Texas Government Code. The attorney general has authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion. See Open Records Decision No. 684 (2009). As such, this information has been redacted from the enclosed materials.

Sincerely,

**Adam Bitter**  
General Counsel  
Office of the Texas Secretary of State

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**From:** GeneralCounsel <GeneralCounsel@sos.texas.gov>  
**Sent:** Thursday, October 24, 2019 6:17 PM  
**To:** American Oversight Records <records@americanoversight.org>  
**Cc:** GeneralCounsel <GeneralCounsel@sos.texas.gov>  
**Subject:** RE: Public Records Request (TX-SOS-19-1292)

Mr. Evers,

Please see the attached letter, with enclosures, in response to your request for information under Chapter 552 of the Texas Government Code.

Sincerely,

**Adam Bitter**  
General Counsel  
Office of the Texas Secretary of State

**From:** American Oversight Records <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Sent:** Thursday, October 10, 2019 3:09 PM  
**To:** General Counsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** Public Records Request (TX-SOS-19-1292)

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Dear Public Records Officer:

Please find attached a request for records under Texas's public records laws.

Sincerely,

Clay M. Goode  
Paralegal  
American Oversight  
[foia@americanoversight.org](mailto:foia@americanoversight.org)  
[www.americanoversight.org](http://www.americanoversight.org) | @weareoversight

PRR: TX-SOS-19-1292



**From:** [Daniel Greer](#)  
**To:** [Linda Payne](#)  
**Subject:** Meeting request  
**Date:** Friday, January 4, 2019 4:31:27 PM

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Have a great weekend.

Daniel A. Greer  
Executive Director - Direct Action Texas  
512.992.4899 (c)

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**From:** [Daniel Greer](#)  
**To:** [Linda Payne](#)  
**Subject:** Re: Meeting request  
**Date:** Thursday, January 24, 2019 9:50:53 AM  
**Attachments:** [image001.jpg](#)

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